

Government Accountability Board

State of Wisconsin

212 E. Washington Ave., Third Floor • Madison, WI 53703 • gab@wi.gov • (608) 266-8005 • Help Desk (608) 261-2028 • <http://gab.wi.gov>

FOR IMMEDIATE RELEASE:
July 1, 2011

FOR MORE INFORMATION, CONTACT:
Michael Haas, 608-266-0136

Court Affirms Board Ruling on Nomination Papers 30th Senate District Ballot Excludes Rep. Nygren

MADISON, WI – The Dane County Circuit Court this afternoon upheld the decision of the Government Accountability Board to deny ballot access to Representative John Nygren in the 30th Senate District recall election scheduled for July 19, 2011. As a result, the ballot for that election will include the names of the incumbent, Senator Dave Hansen, a Democrat, and Republican challenger David VanderLeest.

In his ruling, Judge Richard Niess held that the Board had acted appropriately in determining that the nomination papers of Representative Nygren contained 398 valid signatures. State law requires candidates for state senate to file nomination papers with the Board containing 400 signatures. The Board had ruled on Monday, June 27th, that Rep. Nygren's nomination papers were not sufficient to place his name on the ballot.

Judge Niess noted that the Board followed proper procedures in reviewing the challenges to signatures submitted by Rep. Nygren and the evidence submitted in support of those signatures. The Court held that the public has the right to expect that the rules and deadlines established under the law should apply equally to all candidates. Judge Niess also noted the fairness of the process and decision-making of the nonpartisan Board.

The Board was represented in the litigation by Assistant Attorney General Lewis Beilin. Kevin J. Kennedy, Director and General Counsel of the Government Accountability Board, stated that the Board is careful to ensure that candidates are approved for ballot access when they qualify under the rules set by Wisconsin law. "The Board has no interest whatsoever in which individual candidates are on the ballot or which political party they represent, provided that they meet the minimum requirements," Kennedy said. "Our staff and members of the Board take seriously our duty to apply the election laws equally and fairly to all parties, and we appreciate that the Court recognized that effort in this case."

The Board has advised county and municipal clerks in the 30th Senate District to continue with making absentee ballots available and preparing for the July 19th election as the final recall election rather than a primary election. Elections Division Administrator Nathaniel E. Robinson stated that it is important for local election officials to have definite guidance given the short timeline for the recall election. "County and municipal clerks need to have certainty about the status of candidates and ballots, and so we appreciate that the Court made its decision in a timely manner," Robinson said. "We appreciate the work that local clerks and poll workers will be doing to conduct the recall and special elections this summer."

###

The Government Accountability Board (G.A.B.) is responsible for administration and enforcement of campaign finance, elections, ethics and lobbying laws in Wisconsin. The G.A.B. is made up of six non-partisan, former judges and is supported by an agency of non-partisan staff members.